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Co-Lead Counsel for Plaintiffs

[Additional counsel appear on signature page.]

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

In re ASYST TECHNOLOGIES, INC.
DERIVATIVE LITIGATION

) No. C-06-04669-EDL
)

This Document Relates To:

ALL ACTIONS.

) STIPULATION AND [~~PROPOSED~~] ORDER
) ALLOWING PLAINTIFFS TO FILE A
) CONSOLIDATED OPPOSITION TO
) DEFENDANTS' MOTIONS TO DISMISS
)

1 This Stipulation is entered into by and among plaintiffs, nominal defendant Asyst
2 Technologies, Inc. ("Asyst") and individual defendants Stephen S. Schwartz, Robert J. Nikl,
3 Anthony C. Bonora, Stanley J. Grubel, Tsuyoshi Kawanishi, Robert A. McNamara, Anthony E.
4 Santelli, William Simon, Walter W. Wilson, James E. Springgate, Mihir Parikh, Ashok K. Sinha and
5 P. Jackson Bell (collectively, "defendants"), through their attorneys of record.

6 WHEREAS, on July 17, 2008, nominal defendant Asyst filed a Motion to Dismiss Amended
7 Consolidated Verified Shareholder Derivative Complaint for Failure to Comply With Fed. R. Civ. P.
8 23.1;

9 WHEREAS, on July 17, 2008, the individual defendants filed a Motion to Dismiss Plaintiffs'
10 Amended Consolidated Verified Shareholder Derivative Complaint;

11 WHEREAS, Local Rule 7-3(a) permits plaintiffs to file an opposition to each motion to
12 dismiss up to 25 pages in length;

13 WHEREAS, counsel for defendants has agreed that plaintiffs shall file a single, consolidated
14 opposition to defendants' separate motions to dismiss not to exceed 50 pages; and

15 WHEREAS, plaintiffs' response to the motions to dismiss is currently due on Thursday,
16 August 7, 2008.

17 THEREFORE, the undersigned parties stipulate as follows:

18 Plaintiffs shall file a single consolidated opposition to defendants' separate motions to
19 dismiss, not to exceed 50 pages, on or before Thursday, August 7, 2008.

20 IT IS SO STIPULATED.

21 DATED: August 5, 2008

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Additional Counsel for Plaintiff

I, Benny C. Goodman III, am the ECF User whose ID and password are being used to file this *Stipulation and [Proposed] Order Allowing Plaintiffs to File a Consolidated Opposition to Defendants' Motions to Dismiss*. In compliance with General Order 45, X.B., I hereby attest that Dylan J. Liddiard has concurred in this filing.

DATED: August 5, 2008

WILSON SONSINI GOODRICH
& ROSATI, P.C.
DOUGLAS J. CLARK
LEO P. CUNNINGHAM
DYLAN J. LIDDIARD
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s/ Dylan J. Liddiard
DYLAN J. LIDDIARD

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Attorneys for Defendants

* * *

ORDER

IT IS SO ORDERED.

DATED: August 6, 2008

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CERTIFICATE OF SERVICE

I hereby certify that on August 5, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I have mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on August 5, 2008.

s/ Benny C. Goodman III
BENNY C. GOODMAN III

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Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

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